

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 28-47 are pending in the application. Claims 28 and 41 have been amended to better define the claimed invention. Claims 45-47 have been added to provide Applicants with the scope of protection to which they are believed entitled. The new/amended claims find solid support in the original specification and drawings, e.g., the paragraph bridging pages 9-10 and Figs. 4-5. No new matter has been introduced through the foregoing amendments.

The *35 U.S.C. 112, first paragraph* rejection of claims 28-44 is traversed because the claim limitations discussed in this rejection are supported by the original specification, e.g., the paragraph bridging pages 9-10.

The *35 U.S.C. 112, second paragraph* rejection of claims 31-38 is believed overcome in view of the above amendments. In particular, "pates" in claim 31 has been changed to --parts--.

The art rejections of claims 28, 39-44 are traversed for the reasons advanced in the last Amendment. Solely for the purpose of expediting prosecution, Applicants have further amended independent claims 28 and 41 to clearly define the claimed invention over the art.

It is respectfully submitted that amended claims 28 and 41 are patentably distinguished over Alain, or a combination of Alain, Bremmer or Wilson. Thus, Alain does not disclose any control means of the kind disclosed in the specification of the application and defined at (vii) and (vi), respectively of claims 28 and 41.

Moreover, both Bremmer and Wilson relate to manual tools for upsetting tubes, an entirely different art for forming rebars. The skilled person would not combine the teaching of Bremmer or Wilson with Alain. Even if they did, the notional skilled person would not arrive at the invention as now defined in amended claims 28 and 41.

New independent claim 45 is patentable over the art because the art fails to disclose, teach or suggest step (vi) of claim 45.

Claims 46-47 depend from claim 45, and are considered patentable at least for the reason advanced with respect to claim 45. Claims 46-47 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art, as will be apparent to the Examiner upon reviewing these claims.

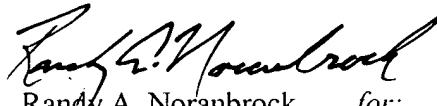
Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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